

REMARKS

Claims 1, 2, 4, 6-9, 11 and 13-15 are pending. In the office action mailed December 14, 2006, the claims were rejected a second time under 35 U.S.C. §103(a) on the combination of pre-grant publication 2003/0119533 by Sarkinen et al. (*Sarkinen*) in combination with pre-grant publication 2003/0012149 by Maggenti et al. (*Maggenti*). The claim rejections were made final.

The applicant reiterates the argument made in the previous response that *Sarkkinen* does not show or suggest the claimed step of clearing data from user equipment. More particularly, the applicant contends that *Sarkkinen* does not show or suggest clearing data from user equipment upon the receipt of either a Cell Update Confirm message, a URA Update Confirm message, or a RRC Connection setup message. The claim rejection was therefore improper and should be withdrawn.

In rejecting the pending claims again, the Examiner continues to maintain that *Sarkkinen* teaches the step of clearing any record of a cell identifier from the user equipment (UE), when the UE receives any one of: a Cell Update Confirm message, a URA Update Confirm message, or a RRC Connection setup message. In the applicant's last response, the applicant pointed out to the Examiner that paragraphs 76-79 of *Sarkkinen* expressly states that that Radio Network Controller (RNC) is cleared. It is an indisputable fact that *Sarkkinen* is devoid of any teaching that the UE should be cleared.

On page 2 of the most recent office action, the Examiner properly states in paragraph 1 that the Examiner must give the pending claims their broadest reasonable interpretation, however, the Examiner improperly cites paragraph [0041] of *Sarkkinen* as supporting the

Examiner's contention that Sarkkinen teaches the clearing of records from a user equipment based on the user equipment's ID. A close inspection of paragraph [0041] of Sarkkinen shows that it uses and includes the word, "cleaning" but paragraph [0041] of Sarkkinen is otherwise unintelligible. To the extent that it is intelligible, it is completely unrelated to the invention claimed in the pending claims.

Even *if* paragraph [0041] described clearing or cleaning data or records from a user equipment device, the claim also requires that the "clearing" be done upon the UE's receipt of, or in response to, one of three specific messages transmitted from a network. Paragraph [0041] of *Sarkkinen* does not mention any of the three messages recited in the claims as causing the "cleaning" that the Examiner contends is taught in the paragraph. Put another way, even if paragraph [0041] of Sarkkinen teaches "clearing" data from a user equipment, paragraph [0041] does not teach clearing the data in response to any one of: a Cell Update Confirm message, a URA Update Confirm message, or a RRC Connection setup message that the claims require.

Unless the Examiner can identify by paragraph and line number where in *Sarkkinen* he finds the pending claim limitation of clearing any record of a cell identifier when the UE receives any one of a Cell Update Confirm message, a URA Update Confirm message, or a RRC Connection setup message, the claim rejection is improper and should be withdrawn.

Notwithstanding the impropriety of the rejection, the applicant has amended the independent claims to further distinguish the claimed subject matter. Paraphrased, both of the independent claims now recite that a response message is "optionally" sent by the UE after the

UE is cleared of any record of a cell identifier. Support for this amendment can be found in paragraph [0030] of the published application. No new matter has been added.

There is also no ambiguity added to the claims by the amendment because the specification makes it clear that “[t]he UE may, in response, [to one of the three messages] send a Physical or Transport Channel Configuration Complete message, or any other suitable message or possibly no response message.” (Emphasis added.) Thus, it is clear that in the claimed method and apparatus, a UE may optionally respond to the network’s messages.

For reasons set forth above, the applicant contends that the claim rejections are improper because *Sarkkinen* does not show or suggest clearing data from user equipment upon the receipt of either, a Cell Update Confirm message, a URA Update Confirm message, or a RRC Connection setup message.

Even if Sarkkinen teaches such a step, no reference or combination of references shows or suggests the optional step of sending a response to the network after the clearing step. The rejections have been traversed and the claims are in condition for allowance.

Respectfully submitted,

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